



## **Request for City Council Committee Action from the Office of the City Clerk**

**Date:** February 19, 2013

**To:** Honorable Betsy Hodges, Chair, Ways & Means/Budget Committee

**Subject:** Designation of the City's Responsible Authority and Compliance Official

**Recommendation:** Designation by Resolution of Casey Carl, City Clerk, as the City's Responsible Authority and Data Practices Compliance Official.

**Prior Directives:** On November 9, 2000, the City Council approved the designation of City Records Manager Craig Steiner to the combined position of Responsible Authority and City Data Practices Compliance Official.

Prepared by: Anissa Hollingshead, Council Committee Coordinator Approved by: Casey Joe Carl, City Clerk Presenters in Committee: Casey Joe Carl, City Clerk
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### **Financial Impact**

- No financial impact

### **Supporting Information**

The Minnesota Government Data Practices Act, regulates the collection, use, and dissemination of data by state agencies and local units of government. The Act requires the designation, by resolution, of a responsible authority to carry out duties required under the law. The Act was amended in 2000 to further require local units of government to appoint a Data Practices Compliance Official to provide broad oversight in ensuring compliance with all aspects of the Data Practices Act. At that time, staff recommended that the role of responsible authority be combined with the data compliance officer, and that the City Records Manager be appointed to the combined role.

In November 2012, City Records Manager Craig Steiner left the City of Minneapolis. Therefore, it is now necessary to designate a new responsible authority and data compliance official. Staff recommends appointing City Clerk Casey Joe Carl, to fulfill the roles and responsibilities provided by law for the responsible authority and data compliance official for the City of Minneapolis. Staff further recommends that this designation be made retroactive to November 16, 2012, to cover the interim period since Mr. Steiner's departure while the City Clerk - acting in his capacity as the official keeper of records for the City - has been fulfilling the obligations specified for the responsible authority and compliance officer.

**Resolution by the City of Minneapolis  
By Hodges**

**Appointing a Responsible Authority and Data Compliance Official for  
the City of Minneapolis.**

Whereas, Minnesota Statutes, Section 13.02, Subdivision 16, as amended, requires that the City of Minneapolis appoint one person as the Responsible Authority to administer the requirements for collection, storage, use, and dissemination of data relating to individuals within the City; and

Whereas, under Minnesota Statutes, Section 13.05, Subdivision 13 the City of Minneapolis is also required to appoint or designate one employee to act as the Data Practices Compliance Official to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems; and

Whereas, Minnesota Statutes, Section 13.05, Subdivision 13 allows an entity's responsible authority to also serve as the data practices compliance officer; and

Whereas, the City Clerk is charged in the Chapter 3, Section 5 of the City Charter with the keeping of all records of the City; and

Whereas, Casey Joe Carl was elected by the City Council to serve as the City Clerk on June 17, 2010; and

Whereas, Casey Joe Carl as the City Clerk served as the supervisor of the City's Records Manager, Craig Steiner, until such time as Mr. Steiner left the City of Minneapolis on November 16, 2012;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council appoints Casey Joe Carl as the Responsible Authority for the purposes of meeting all requirements of Minnesota Statutes, Section 13.02 through 13.87, as amended, and all rules as lawfully promulgated by the Commissioner of Administration, as published in the State Register.

Be It Further Resolved that the duties of Data Compliance Official, as required under Minnesota Statutes, Section 13.05, Subdivision 13, shall also be fulfilled by Casey Joe Carl.

Be It Further Resolved that the designation of Mr. Carl as Responsible Authority and as Data Compliance Official, as set forth above, shall be retroactively effective to November 16, 2012, to reflect that Mr. Carl, acting in his capacity as the official keeper of records for the City, has been fulfilling the associated obligations since that time.